

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LASHAUNNA AIKENS,)	
)	
Plaintiff,)	Civil Action No. 16-454
)	
v.)	Judge Cathy Bissoon
)	
UPMC SHADY-SIDE HOSPITAL,)	
)	
Defendant.)	

ORDER OF DISMISSAL

Having been granted leave to proceed *in forma pauperis* (“IFP”), Plaintiff is subject to the screening provisions in 28 U.S.C. § 1915(e). See Atamian v. Burns, 2007 WL 1512020, *1-2 (3d Cir. May 24, 2007) (“the screening procedures set forth in [Section] 1915(e) apply to [IFP] complaints filed by prisoners and non-prisoners alike”) (citations omitted). Among other things, the screening provisions require a court to dismiss an action that is frivolous or malicious. El-Bey v. U.S., 619 Fed. Appx. 53, 54 (3d Cir. Oct. 13, 2015).

In this case, the sum total of Plaintiff’s substantive allegations are as follows:

[Defendant committed] forge[ry] that lead to identity theft. . . . Before going into the FBI or to jail (Allegheny County Jail) on December 3rd, 2016, I went into [Defendant’s] emergency room for HIV testing since I was stabbed twice [at] the County’s Office. Well[,] they used my signature to forge documentation to allow a gay-imposter to release money (will) from 9/11 victims and troops. They never gave me anything.

Compl. (Doc. 3) at ¶¶ II, III (emphasis in original).

Frivolity is “a category encompassing allegations that are fanciful, fantastic and delusional.” El-Bey at 54 (internal quotations and ellipses omitted). A complaint may be dismissed as such “when the facts alleged rise to the level of the irrational or the wholly

incredible.” *Id.* As the Court believes is self-evident, Plaintiff’s allegations fall within this category. Thus, Plaintiff’s action is **DISMISSED WITH PREJUDICE** under 28 U.S.C.

§ 1915(e)(2)(B).

Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that any appeal from this Order of Dismissal would not be taken in good faith.

IT IS SO ORDERED.

April 19, 2016

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

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